

FIRST REGULAR SESSION

# SENATE BILL NO. 156

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SATER.

Read 1st time January 16, 2013, and ordered printed.

TERRY L. SPIELER, Secretary.

0604S.011

## AN ACT

To amend chapter 376, RSMo, by adding thereto one new section relating to the implementation of the Patient Protection and Affordable Care Act.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 376, RSMo, is amended by adding thereto one new  
2 section, to be known as section 376.1188, to read as follows:

**376.1188. 1. The department of insurance, financial institutions  
2 and professional registration, nor any other department, agency, or  
3 instrumentality of this state shall apply for, accept, or expend federal  
4 grants or moneys relating to the implementation of the federal health  
5 care act unless such acceptance or expenditure is authorized by statute  
6 or an appropriations bill.**

7 **2. Any taxpayer of this state or any member of the general  
8 assembly shall have standing to bring suit against the state of Missouri  
9 or any official, department, division, or agency of this state which is in  
10 violation of this section in any court with jurisdiction to enforce the  
11 provisions of this section. The court shall award attorney's fees, court  
12 costs, and all reasonable expenses incurred by the taxpayer or member  
13 of the general assembly if the court finds that the provisions of this  
14 section have been violated. Such attorney's fees, court costs, and  
15 reasonable expenses shall be paid from funds appropriated to the  
16 department, division, or agency of this state determined to have  
17 violated, in whole or in part, the provisions of this section. In no case  
18 shall the award of attorney's fees, court costs, or reasonable expenses  
19 be paid from the legal defense fund, nor shall any department, division,  
20 agency, or political subdivision of this state request, or be granted,  
21 additional appropriations in order to satisfy an award made under this**

22 **section.**

23 **3. As used in this section, the term "federal health care act" shall**  
24 **mean the federal Patient Protection and Affordable Care Act, Public**  
25 **Law 111-148, as amended by the federal Health Care and Education**  
26 **Reconciliation Act of 2010, Public Law 111-152, and any amendments**  
27 **thereto, or regulations or guidance issued under such federal acts.**

✓

Unofficial

Bill

Copy